

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

TUESDAY, THE 5TH DECEMBER 2006 / 14TH AGRAHAYANA 1928

WP(C).No. 31182 of 2006(K)

PETITIONER:

K.S. CHANDRAN, S/O. SUKUMARAN,
MOOSARAYIL HOUSE, THEKKENADA P.O., VAIKOM.

BY ADV. SRI.K.REGHU KOTTAPPURAM
SMT.URSULA FRANCIS
SRI.M.MUKESH

RESPONDENTS:

1. K.S. SREENIVASAN,
UNIT SECRETARY, HEAD LOAD & GENERAL WORKERS UNION
(CITU), EZHUMATHURUTHU P.O., KADUTHURUTHY PANCHAYAT
DIST. KOTTAYAM.
2. SUMESH, S/O. SUKUMARAN,
PATHIPPADOM, EZHUMATHURUTHU P.O., KADUTHURUTHY
PANCHAYAT, DIST. KOTTAYAM.
3. JAYAN, S/O. BABY,
EZHAM NUMBER (NIZHA BHAVAN), EZHUMATHURUTHU P.O.,
KADUTHURUTHY PANCHAYAT, DIST. KOTTAYAM.
4. ANOOP, S/O. ARAVINDAKSHAN,
KUZHIKANDATHIL, EZHUMTHURUTHU P.O., KADUTHURUTHY
PANCHAYAT, DIST. KOTTAYAM.
5. JOMON, S/O. NARAYANAN,
PUTHUKAD, EZHUMATHURUTHU P.O., KADUTHURUTHY
PANCHAYAT, DIST. KOTTAYAM.
6. NIZHAD,
NIZHAD BHAVAN, S/O. PEETHAMBARAN, KADUTHURUTHY
PANCHAYAT, DIST. KOTTAYAM.
7. THE CIRCLE INSPECTOR OF POLICE,
KADUTHURUTHY, DIST. KOTTAYAM.

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8. THE SUPERINTENDENT OF POLICE, KOTTAYAM.

BY GOVT.PLEADER SRI.P.A.SALIM FOR R7 & R8
ADV. SRI.M.A.ASIF FOR R1 TO R6

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 05/12/2006, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE PROCEEDINGS NO.16/VKP/PE (KYLM)/06 DATED 24.1.2006.

EXT.P2: COPY OF THE PROCEEDINGS NO.17/VKP/PE(KYLM)06 DATED 7.3.2006.

EXT.P3: COPY OF NOTICE DATED 26.10.2006 RELATING TO FORMATION OF UNION.

EXT.P4: COPY OF AGREEMENT DATED 27.2.2006.

EXT.P5: COPY OF THE PETITION DATED 17.11.2006 SUBMITTED BEFORE 7TH RESPONDENT.

J.B.KOSHY & K.PADMANABHAN NAIR, JJ.

W.P.(C).NO.31182 OF 2006 (K)

Dated this the 5th day of December, 2006

J U D G M E N T

KOSHY,J.

This is a petition for police protection. An interim protection was granted on 24.11.2006. Petitioner also wants protection for transporting of the materials and loading of the country crafts as per Ext.P4 agreement. It is also submitted by the petitioner that contesting respondents are not registered workers under the Head load Worker's Act. The counsel for the contesting respondents submitted that they are not creating any law and order situation and they have raised labour dispute. Notice was already issued on that matter. Statutory authorities should dispose of the same as expeditiously as possible. But respondents cannot take law into their hands. Police protection is granted as prayed for without prejudice to the rights of the respondent in raising

labour disputes. With the above observations this writ petition is disposed of.

J.B.KOSHY, JUDGE

K.PADMANABHAN NAIR, JUDGE

prp

J.B.KOSHY & K.PADMANABHAN NAIR, JJ.

O.P.NO. OF 2006 ()

J U D G M E N T

17th November, 2006